

FITZPATRICK, CELLA, HARPER & SCINTO

650 Town Center Drive
Suite 1600
Costa Mesa, California 92626-7130
(714)540-8700

RECEIVED
CENTRAL FAX CENTER

SEP 27 2005

Facsimile:(714)540-9823

FACSIMILE COVER SHEET

TO: Examiner King Y. Poon
Group Art Unit 2624

FROM: Michael K. O'Neill

RE: U.S. Application No. 09/698,052
Atty. Docket No.: 03500.014903

FAX NO.: (571) 273-8300

DATE: September 27, 2005 **NO. OF PAGES:** 3
(including cover page)

TIME: 3:09 **SENT BY:** *Karm*

MESSAGE

Attached is a Response and Request for Clarification of the Office Action dated September 9, 2005.

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on:

September 27, 2005
(Date of Deposit)

Michael K. O'Neill, Reg. No. 32,622
(Name of Attorney for Applicant)

Michael K. O'Neill
Signature

September 27, 2005
Date of Signature

**IF YOU DO NOT RECEIVE ALL THE PAGES
PLEASE CALL 714-540-8700 AS SOON AS POSSIBLE.**

Note: We are transmitting from a Canon Model FAX-L770
(compatible with any Group I, Group II or Group III machine).

THIS FACSIMILE MESSAGE AND ACCOMPANYING DOCUMENTS ARE INTENDED ONLY FOR THE USE OF THE ADDRESSEE INDICATED ABOVE. INFORMATION THAT IS PRIVILEGED OR OTHERWISE CONFIDENTIAL MAY BE CONTAINED THEREIN. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, REVIEW OR USE OF THIS MESSAGE, DOCUMENTS OR INFORMATION CONTAINED THEREIN IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE OR FACSIMILE AND MAIL THE ORIGINAL TO US AT THE ABOVE ADDRESS. THANK YOU.

SEP 27 2005

03500.014903

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
: Examiner: K. Poon
KOJI NAKAGIRI, et al.)
: Group Art Unit: 2624
Application No.: 09/698,052)
: Filed: October 30, 2000)
: For: PRINT INFORMATION)
: PROCESSING APPARATUS,)
: PRINT INFORMATION)
: PROCESSING METHOD, AND)
: STORAGE MEDIUM STORING)
: COMPUTER-READABLE)
: PROGRAM THEREIN)
September 27, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE AND REQUEST FOR CLARIFIED OFFICE ACTION

Sir:

This is in response to the requirement to elect between species, issued in the Office Action dated September 9, 2005.

A clarified Office Action is respectfully requested, since the nature of the requirement for election is not understood. In particular, the requirement appears to require an election between Figure 10 in the drawings and page 21 of the specification. However, it is not understood how Figure 10 and page 21 correspond to specifically different embodiments of the invention. See MPEP § 806.04(e):

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on:

September 27, 2005
(Date of Deposit)

Michael K. O'Neill, Reg. No. 32,622
(Name of Attorney for Applicant)


Signature Date of Signature September 27, 2005

"Species are always the specifically different embodiments"
(emphasis in original).

This matter was brought to the attention of the Examiner in a telephone conference dated September 27, 2005. It was agreed that it would be best for the undersigned to file a written request for clarification, and this has now been done. Accordingly, issuance of a clarified Office Action is respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Michael K. O'Neill
Attorney for Applicants
Registration No.: 32,622

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

CA_MAIN 102542v1